

**Amendments to the Claims**

1-8. (Canceled)

9. (Currently Amended) An apparatus for application around a heart with an apex, comprising:

a first portion having an anchor that is configured and dimensioned to be disposed proximate the apex; [[and]]

a second portion having a plurality of petals and a retaining region, the petals being resiliently biased[.,,]; and

a third portion having a tensioning band secured to at least one of the petals,

wherein the anchor is retained in the retaining region and at least one of the petals is biased to provide compressive force against at least a portion of the heart.

10. (Canceled)

11. (Currently Amended) [[The]] An apparatus of claim 10, for application around a heart with an apex, comprising:

a first portion having an anchor that is configured and dimensioned to be disposed proximate the apex;

a second portion having a plurality of petals and a retaining region, the petals being resiliently biased; and

a third portion having a tensioning band secured to at least one of the petals,

wherein the anchor is retained in the retaining region, at least one of the petals is biased to provide compressive force against at least a portion of the heart, and the tensioning band permits selective tightening of at least one of the petals.

12. (Currently Amended) The apparatus of claim [[10]] 9, wherein two or more of the first

portion, the second portion, and the tensioning band are integrally formed.

13. (Currently Amended) ~~[[The]]~~ An apparatus of claim 9, further comprising for application around a heart with an apex, comprising:

a first portion having an anchor that is configured and dimensioned to be disposed proximate the apex;

a second portion having a plurality of petals and a retaining region, the petals being resiliently biased; and

a screw mechanism for increasing or decreasing the compressive force applied by at least one of the petals,

wherein the anchor is retained in the retaining region and at least one of the petals is biased to provide compressive force against at least a portion of the heart.

14. (Currently Amended) The apparatus of claim 9, wherein the first portion is adapted to be disposed about at least a portion of a ventricle.

15. (Currently Amended) ~~[[The]]~~ An apparatus of claim 9, for application around a heart with an apex, comprising:

a first portion having an anchor that is configured and dimensioned to be disposed proximate the apex; and

a second portion having a plurality of petals and a retaining region, the petals being resiliently biased,

wherein the anchor is retained in the retaining region at least in part by a male-female interlock and at least one of the petals is biased to provide compressive force against at least a portion of the heart.

16. (Original) The apparatus of claim 9, wherein the petals extend from the second portion proximate the retaining region.

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17. (Original) The apparatus of claim 9, wherein the petals are uniformly spaced with respect to each other.